

HOUSE BILL No. 1256

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-10-5.

Synopsis: Watercraft docking and marina launch fees. Provides that the city of Portage may impose a watercraft docking fee and a marina launch fee. Provides that revenue generated from the fees shall be used to fund port authority maintenance and enforcement of port authority regulations.

Effective: July 1, 2003.

Cheney

January 13, 2003, read first time and referred to Committee on Local Government.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1256

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-10-5-22, AS AMENDED BY P.L.170-2002,
2 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 22. (a) This section applies to a city having a
4 population of more than:

5 (1) thirty-two thousand eight hundred (32,800) but less than
6 thirty-three thousand (33,000); or

7 (2) **thirty-three thousand (33,000) but less than thirty-six**
8 **thousand (36,000).**

9 (b) The fiscal body **of a city** may impose an annual fee upon each
10 watercraft that is docked for more than twenty-nine (29) days during a
11 year in waters that are under the jurisdiction of a port authority under
12 this chapter.

13 (c) A fee imposed under this section shall be:

14 (1) not more than seventy-five cents (\$0.75) per foot for
15 watercraft of thirty (30) feet or less; and

16 (2) not more than one dollar and fifty cents (\$1.50) per foot for
17 watercraft over thirty (30) feet.



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(d) Fees ~~collected~~ **imposed** under this section **by a city described in subsection (a)(1)** shall be deposited in the cumulative channel maintenance fund established under section 17 of this chapter and shall be used only to pay for dredging.

(e) Fees **imposed under this section by a city described in subsection (a)(2)** shall be collected by a marina, dock, or port located on waters that are under the jurisdiction of a port authority created by the city under this chapter. Not later than the fifteenth day of each month, the marina, dock, or port shall remit to the city fiscal officer the amount of fees imposed under this section by a city described in subsection (a)(2) and collected under this section during the immediately preceding month. Upon collecting a fee under this subsection, a marina, dock, or port shall issue to the person who owns the watercraft a decal that indicates the year for which the fee under this section has been paid. The decal shall be displayed on the watercraft during the year for which the decal is issued. A watercraft that displays a valid decal under this subsection is not subject to a marina launch fee under section 24 of this chapter.

(f) Fees collected under subsection (e) may be used for the following purposes:

- (1) Any purpose set forth in section 17 of this chapter.
- (2) Regulation and enforcement of regulation of all uses and activities related to waters that are under the jurisdiction of a port authority under this chapter.

SECTION 2. IC 8-10-5-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 24. (a) The fiscal body of a city that has a population of more than thirty-three thousand (33,000) but less than thirty-six thousand (36,000) may impose a marina launch fee for a watercraft that is launched from a marina, dock, or port located on waters that are under the jurisdiction of a port authority created by the city under this chapter.

(b) A person that owns a watercraft subject to the fee under this section shall pay one (1) of the following:

- (1) A marina launch fee equal to one dollar (\$1) per launch.
- (2) An annual marina launch fee equal to:
 - (A) seventy-five cents (\$0.75) per foot for watercraft of thirty (30) feet or less; and
 - (B) one dollar and fifty cents (\$1.50) per foot for watercraft over thirty (30) feet.

(c) The marina, dock, or port from which the boat is launched



1 shall collect the fees. Not later than the fifteenth day of each month,
2 each marina, dock, or port shall remit to the city fiscal officer the
3 amount of fees collected under this section during the immediately
4 preceding month.

5 (d) Upon collecting a fee under this subsection, a marina, dock,
6 or port shall issue to the person who owns the watercraft:

7 (1) a decal that indicates the year; or

8 (2) a paper permit that indicates the day;

9 for which a fee under this section has been paid. The decal or
10 permit shall be displayed on the watercraft during the period for
11 which the decal or permit is issued. A watercraft that displays a
12 valid annual decal under this subsection is not subject to a
13 watercraft docking fee imposed under subsection 22 of this chapter
14 by a city described in subsection (a).

15 (e) Fees collected under this section may be used for the
16 following purposes:

17 (1) Any purpose set forth in section 17 of this chapter.

18 (2) Regulation and enforcement of regulation of all uses and
19 activities related to waters that are under the jurisdiction of
20 a port authority under this chapter.

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